

REMARKS

Claims 1-7 and 9-13 are pending in this application, of which claims 1 and 2 have been amended. Claim 8 has been canceled. No new claims have been added.

The Abstract, specification and claims have been amended to correct grammatical, idiomatic and spelling errors, none of which are related to patentability. No new matter has been added.

Claims 1-4, 8, 9, 11 and 12 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent 6,072,627 to Nomura et al. (hereafter, "**Nomura et al.**").

Applicants respectfully traverse this rejection.

Nomura et al. discloses a stereoscopic image capture device including an image capturing face on which light from an object is incident; an optical element disposed on a side of the image capturing face on which the light is incident, the optical element converting an angle at which the light is incident thereon to a distance from an optical axis the optical element; and an afocal optical system including a plurality of lenses, wherein the afocal optical system forms, on the optical element, an image of the object formed on one of the plurality of lenses which is closest to the object.

Nomura et al. differs from the claimed invention in at least the following ways:

- 1) **Nomura et al.** is directed to a stereoscopic image capture device, while the claims of the present invention are directed to a three-dimensional image optical system.

The device of **Nomura et al.** does not provide a three-dimensional image.

- 2) FIG. 1 of Nomura et al. shows lenses 4 and 5 of different diameters. In contrast, FIG. 2 of the instant application shows convex lenses 12a and 12b having the same diameter, each being held and surrounded by optical “gobo” element 4 (as identified in FIG. 3).
- 3) Nomura et al. constructs the afocal optical system as a subsystem, while the present invention constructs the afocal optical system as an array

Accordingly, claim 8 (reciting the “gobo” element) has been canceled and its limitations have been added to claim 1.

The Examiner has urged that slit arrays 23, 25 shown in FIGS. 5A and 5B of Nomura et al. are “gobo” elements, but they are actually slit arrays which do not surround the first and second optical components, as in the present invention.

Thus, the 35 U.S.C. § 102(b) rejection should be withdrawn.

The Examiner has indicated that claims 5-7, 10 and 13 would be allowable if rewritten in independent form. Applicants respectfully defer this action until a FINAL Office Action, if any, is received.

In view of the aforementioned amendments and accompanying remarks, claims 1-7 and 9-13, as amended, are in condition for allowance, which action, at an early date, is requested.

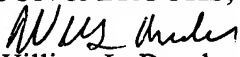
If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants’ undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

U.S. Patent Application Serial No. 10/849,504
Response to Office Action dated September 28, 2005

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

Enclosure: Substitute Abstract of the Disclosure

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